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September 10, 2019

VIA EMAIL: bosque.adalberto@epa.gov,
AND CERTIFIED MAIL
RETURN RECEIPT NO. 7019 0140 0000 5945 5862

Mr. Adalberto Bosque, PhD, MBA
Remedial Project Manager
U.S. Environmental Protection Agency
City View Plaza II Suite 7000
48 RD, 165 Km.1.2
Guaynabo, Puerto Rico 00968-8069

Re: San Germán Groundwater Contamination Superfund Site (OU-2)

Dear Mr. Bosque:

On behalf of our client CCL Puerto Rico, Inc., formerly CCL Label (San Germán) Inc., ("CCL"), attached please find a letter with today's date signed by its General Counsel, Mark McClendon, including CCL's comments to the Superfund Program Proposed Plan for the San Germán Groundwater Contamination Superfund Site Operable Unit 2. CCL appreciates the opportunity to submit comments and the extension of time granted by your agency to submit them.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. J. García-Díaz', is positioned above the printed name.

Jorge J. García-Díaz

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Re: San Germán Groundwater Contamination Superfund Site (OU-2)

Dear Mr. Bosque:

CCL Puerto Rico, Inc., formerly CCL Label (San Germán), Inc., ("CCL"), through the undersigned counsel respectfully submits the following comments to the United States Environmental Protection Agency ("EPA"), in connection with the Superfund Program Proposed Plan (the "Plan") for the San Germán Groundwater Contamination Superfund Site (the "Site") Operable Unit 2 ("OU-2"). These comments are timely submitted after the extension of time to submit comments granted by the EPA until September 10, 2019. We appreciate the extension of time granted by your agency and the opportunity to submit these comments.

CCL leased until approximately April of 2017, a property owned by the Puerto Rico Industrial Development Company ("PRIDCO") identified as Project No. S-0551-0-60 & Ext., (the "Property"), located at el Retiro Industrial Park at el Retiro Ward in San Germán, Puerto Rico. The Property, as well as another property owned by PRIDCO at the same industrial park and occupied by Wallace Silversmith de Puerto Rico Ltd., are referred to in the Plan and in other documents in the Administrative Record of the OU-1, and now of the OU-2, as the two sources of contamination of the Site.

While you clarified at the public meeting held on July 30, 2019, that the reference in the Plan to these properties as the "former CCL lot" and "Wallace lot" did not mean an allegation of liability against these companies, CCL respectfully requests once again, for the reasons cited below in this letter, that EPA refrain from identifying the Property with any mention or indication in any form to CCL. Referring to the Property in any way with indications as to CCL's name, could give a false and wrong impression to the public and to its employees that CCL is responsible for contaminating the Site. The references to CCL in the Plan, as well as in studies and other

documents in the Administrative Record of the Site could damage its business and goodwill reputation, and such potential harm is entirely inappropriate.

Furthermore, as stated in our comments to the Administrative Record of the OU-1, CCL did not use in its operations at the Property any of the contaminants of concern that EPA has allegedly identified at the site, namely: (i) PCE; (ii) TCE; (iii) cis-1,2-DCE; (iv) 1,1-DCE; and (v) Vinyl Chloride (the "COC").

CCL has reviewed the Plan, the Final Remedial Investigation Report for OU-2 of June 20, 2018 (the "Report"), and other documents in the Administrative Record of the Site related to the OU-2, and respectfully submits the comments below:

1. CCL incorporates by reference its comments provided in the Administrative Record of the OU-1 in its letters of 2015 with the exhibits, attachments and references cited thereat, including but not limited to the comments stated herein.
2. Based on PRIDCO's records, the Property appears to have been leased for the first time in 1963 and thereafter continuously until 1992 to multiple tenants in the clothing and electronic manufacturing industries. The Property appears to have been vacant from 1992 until August 15, 1995, when it was leased by Insert Corporation of Puerto Rico Inc., ("Insertco"). Insertco was the first inserts printing company (same line of industry as CCL) that leased the Property. Notwithstanding, based on documents in PRIDCO's files, Insertco and/or its successor NJP Insertco, Inc., ("NJP"), a subsidiary of Menasha Corporation ("Menasha"), did not move into the Property until March of 1996.
3. In March of 1995, before Insertco leased the Property and before NJP moved into it, Menasha collected soil samples from the Property as part of a limited Phase II Environmental Site Assessment to establish its environmental benchmark condition. The analytical results of these soil samples revealed the presence of PCE, TCE, Cis 1,2-Dichloroethane and Vinyl Chloride. These are four of the five COC identified by EPA in the Plan. Thus, the documented presence of these COC at the Property pre-dates the lease and occupation of the Property by CCL and/or any of its predecessor companies in the same line of industry.
4. Furthermore, a subsequent TCLP characterization Analysis Report of NJP's waste residual solution from its printing process, dated November 10, 1995, also pre-dating the occupation of the Property by Insertco, NJP or its successors, revealed that its wastes were non-hazardous and were also non-detect for PCE, TCE, 1,2-Dichloroethane and Vinyl Chloride, which are the same four COC found pre-existing at the Property. In other words, not only the COC were pre-existing at the Property, but it was also documented that NJP was not generating the COC as part of its operations, even before moving into the Property.

5. Per documents in PRIDCO's files, the Property is connected to the Puerto Rico Aqueduct and Sewer Authority ("PRASA") sanitary system since 1995, and it had its septic tank system removed in December of 1995. This also pre-dates the occupancy of the Property by Insertco, NJP and its successors.
6. Based on the foregoing, it is undisputable that: (i) there is documented presence of the COC at the Property pre-existing to CCL and its predecessors occupancy of the Property; (ii) the wastes generated by CCL's predecessors in the printing industries at the time of leasing and occupying the Property were non-hazardous and non-detect for the COC; and (iii) the property was connected to the PRASA sanitary sewer system and there were no septic systems or other apparent pathways for any potential discharges to reach soil or groundwater at the Property before CCL and its predecessors occupied the Property.
7. The Plan and the other studies and documents in the Administrative Records of the OU-1 and OU-2 lack evidence of documented releases of theses COC at the Property.

Notwithstanding the facts above, CCL respectfully understands that, as in the Administrative Record of the OU-1, and in the instant Administrative Record, there is not sufficient information to support the conclusion that the Property is one of the two sources of contamination of the Site. While EPA's OU-2 sampling activities and collection of additional Site data in 2017 and 2018 resulted in improved delineation of the plume downgradient, it did not address concerns related to potential degradation and migration of the COC from other potential upgradient sources moving into the Property. We respectfully base our allegation on the following:

8. The Report concluded that with the addition of the OU-2 monitoring wells, the groundwater flow direction under normal conditions is toward the northwest, and under high precipitation events, such as Hurricane Maria, the flow appears to be more northerly in the area around the Retiro Industrial Park. As stated in our previous comments to the OU-1 Administrative Record, there is a small creek or stream on the north north-east side of the Property, which may act as an aquifer drain, thus it may have a local influence in the groundwater flow direction at the Property consistent with EPA's finding after the addition of the new monitoring wells. Therefore, CCL understands that there could be migration and degradation of COC from other potential sources into the Property.
9. CCL respectfully understands that there can be no conclusion that the Property is a source of TCE without first addressing the possibility that COC at the Property is the result of degradation or migration of COC from other properties at the Site. As in the OU-1 Report, the OU-2 Report indicates that after the new rounds of sampling, most of the highest concentrations of TCE, cis-1,2-DCE, and Vinyl Chloride were found in the

groundwater at the Property. See table 4-3 of the Report. The new sampling also shows that these contaminants have decreased at the Property since the OU-1 sampling rounds in 2013 and 2014, and that the least concentrations of PCE were found at the Property, consistently with the OU-1 sampling rounds. This could also be an indication that PCE might be migrating and degrading into the substances found at the Property affected by the groundwater flow northerly to the small creek which could be acting as an aquifer drain. This potential scenario is consistent with some of these COC being found in the surface water samples at the small creek and at the storm water channel adjacent to the Property, and must be considered.

10. Surface water samples were collected again in 2017 as part of the OU-2 study in the small drainage ditch or creek on the northeastern side of the Property, between the Property and the PRIDCO lot formerly leased by Baytex, and downstream from the Property at SW-9, SW-10, SW-11, and SW-12. Sampling results of SW-9 and SW-10 from the new round in 2017 show an increase in concentration of TCE from the previous sampling during OU-1 studies. These samples, however, again appear to have been taken downstream of storm water discharge points from the industrial park, particularly with respect to the location of SW-9. There are also storm water pipes from other areas of the industrial park crossing through the Property ultimately discharging into the small creek. There is no information as to the structural condition and depth of these storm water conduits, and as to whether there might be infiltration from groundwater into these conduits. It appears that SW-9 is downgradient from these storm water discharge points and therefore the result could be affected. It does not appear that the Report takes this into consideration. Also, there is no background sample of the small creek upstream of the Property.

Based on all of the foregoing, CCL again respectfully requests from EPA that it refrains from identifying the Property with any indication to the terms "CCL lot", "CCL Label source area", "CCL Label", and/or any other similar term by which it is referring to the Property in the Plan and other documents in the Administrative Record.

Additionally, CCL respectfully understands based on the Administrative Records of OU-1 and OU-2, and in all other documents referenced and cited in our comments to OU-1 already in possession of EPA in this matter, that: (i) the presence of the COC at the Property pre-dates the lease and occupancy of the Property by Insertco, NJP and all its successors in the same line of industry; (ii) the wastes generated by these companies at the time of leasing the Property in 1995 were not hazardous and non-detect for the COC, even before they entered into the Property; (iii) the Property was connected to the PRASA sewer system and there were no septic systems or other apparent pathways for any discharges to reach soil or groundwater at the Property, at least since December 1995, before Insertco, NJP and its successors occupied the Property; and (iv) based on the data presented in the Report, EPA cannot discard the possibility that the presence of these COC at the Property might have been caused by

degradation and migration from other neighboring properties in the industrial park. As such, EPA should not treat the entire Site as a whole concluding that the Property is a source without discarding the possibility of degradation and migration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark McClendon". The signature is fluid and cursive, with the first name "Mark" being more prominent and the last name "McClendon" following in a similar style.

Mark McClendon
VP & General Counsel
CCL Industries, Inc.